

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD**

FRIDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FIVE

: PRESENT :

THE HON'BLE MRS. JUSTICE : T. MEENA KUMARI.

C. R.P. No. 3264 of 2005

(Petition under Section 115 of C.P.C. to revise the Order of the Court of the II Additional Senior Civil Judge, Kakinada passed in E.A. No. 807 of 2004 in E.P. No. 6/1997 in O.S. No. 92 of 1964 dated 23-6-2005.)

Between:

1. Anala Jayakumari W/o Sudarshan Rao
2. Chalamkuri Suneetha W/o Venkateswara Rao
3. Ramayanam Anitha W/o Surendra
4. Kotipalli Sujathia W/o K.Ravi

Petitioners

AND

1. Rednam Suryanarayana Murthy (died)
2. Rednam Atchutaramayya (died)
3. Rednam Lakshmipathi Rao S/o Atchuraramayya, Santhi Nagar, Gazetted officers Colony, Nerar 50 buildings, Kakinada, E.G. District
4. Rednam Suryanarayana Rao S/o Atchutaramayya, R/o Flat No. 306, Sri Nilaya Apartments, Mayuru Marg, Begumpet, Hyderabad
5. Rednam Venkatakrishna Rayudu S/o Atchutaramayya, Kapavaram, Ramachandrapuram Mandal, via Vella, E.G. District
6. Pinaka Satyanarayana S/o Venkanna R/o Tatipalli, Ramachlandrapuram Mandal, via vella, E.G. District
7. Meka Butchayya (died)
8. Chaluvadi Subbarao S/o Guravayya, Vijaya Rice Mill, Tadivari Street, Near Market Kakinada, E.G. District
9. Chaluvadi Baburao S/o Gavarayya, Vijaya Rice Mill Lane, Market Street, Kakinada, E.G. District
10. Nallam Tayamma W/o Venkatareddy, Near: II Town Street, Op. NGO Home, Kakinada, E.G. District
11. Polisetti Alivela Mangatayaramma W/o Veeranjaneyulu, Munsif vari Street, Jagannadhapuram, Kakinada, E.G. District
12. Rednam Venkataramanamma W/o Suryanarayana Rao, C/o flat No. 306, Sri Vidya Apartments, Mayur Marg, Begumpet, Hyderabad
13. Polisetti Venkataratnam S/o Veeranjaneyulu, Yesuvari Street, Near Market, Jagnaikpur, Kakinada, E.G. District
14. Polisetti (Nookala) suryakantham W/o Appaji Naidu, Medical college Boys

- Hostel, Near Stadium, Kakinada, E.G. District
15. Yenamadala Appara S/o Venkanna , Chelluru ,Ramachandrapuram Mandal,
E.G. District.
 16. Kommula Venkata Ramanamma W/o Venkata Janardhana Rao,
Prathipadu
Mandal , E.G. District
 17. Kommula Jayalakshmi W/o Rama Murthy R/o Prathipadu Mandal, E.G. District
 18. Chaluvadi Veerabhadra Rao S/o Subbarao, Tativari Sandu, Near Market,
Vijaya Rice Mill Lane, Kakinada, E.G. District
 19. Chaluvadi China Veerabhadra Rao S/o Subbarao, Tativari Sandu, Near Market,
Vijaya Rice Mill Lane, Kakinada, E.G. District
 20. Chaluvadi Venkatarao S/o Subbarao, Bhuddavarapu Street, Kakinada, E.G. District

Contd..

21. Rednam Lakshmipathi S/o late Suryanarayana, Taraka Rama Transport Business,
Near Ramakrishna Theatre Junction, Visakhapatnam
22. Rednam Atchutarayamya S/o late Suryanarayana R/o opp: Ex MLA Undavalli
Suryanarayana House, Behind RTC Complex, Samalkot, E.G. District
23. Rednam Chakrapathi S/o late Suryanarayana R/o opp: Ex MLA Undavalli
Suryanarayana House, Behind RTC Complex, Samlkot, E.G. District
24. Rednam Tirupathirao S/o late Suryanarayana Murthy, Employee New India Insurance Co. Main Road, Samalkot, E.G. District
25. Rednam Appalaraju S/o late Suryanarayana Murthy, Teacher opp: Ex MLA undavalli Suryanarayana House, Behind RTC Complex, Samalkot ,E.G. District
26. Rednam Suryanarayanamma W/o late Suryanarayanmurthy, opp: Ex MLA Undavalli Suryanarayana House, Behind RTC Complex, Samalkot, E.G. District
27. Saladi Tulasamma W/o Bhaskara Rao R/o opp: Ex MLA Undavalli Suryanarayana House, Behind RTC Complex, Samalkot,, E.G. District
28. Kanakala Krishna S/o Satyanarayana R/o Unduru, Via Draksharama, Ramachandrapuram, Mandal, E.G. District
29. Kanakala Pandurangarao S/o Satyanarayaa, R/o Unduru,Via Draksharama, Ramachlandrapuram Mandal, E.G. District

The petition coming on for orders as to admission upon perusing the petition and the grounds filed herein and the Order of the High Court dated 08-7-2005 and made herein and upon hearing the arguments of **Mr. U. Suman**, Advocate for the Petitioners and of Mr. E.V.V.S. Ravi Kumar, for V.L.N.G.K. Murthy, Advocate for the respondents, the Court made the following

ORDER:-

“ When the matter has come for admission, it has been submitted by Sri U. Suman, learned counsel for the petitioners that negotiations are still going on. The above fact has been refuted by Sri E.V.V.S. Ravi Kumar, for V.L.N.G.K. Murthy, learned counsel appearing on behalf of the respondents and he submitted that the delivery of the petition schedule property has been taken on 8-7-2005 afternoon itself. He also submitted that they have also filed a caveat anticipating that C.M.A. would be filed by the petitioners before the Court below and that they are not aware of the filing of this revision petition and of the interim order of suspension; and stated that a lunch motion might have been moved by the petitioners' counsel. He also submitted that the Amin of the III Additional District Court, Kakinada, has delivered the possession of the petition schedule property on 8-7-2005 itself and report has been submitted to the Court of III Additional District Court, Kakinada on 11-7-2005.

From a perusal of the record, it is seen that on 8-7-2005, this case has been listed as Item No. 19 in the cause list and this Court on 8-7-2005 has granted interim suspension of the order dated 23-6-2005 in E.A. No. 807 of 2004 in E.P. No. 6 of 1997 in O.S. No. 92 of 1964 on the file of the Court of the II Additional Senior Civil Judge, Kakinada, for a period of two weeks in the pre-lunch session itself. In fact, learned counsel for the petitioners sought permission of the Court to communicate the said order by wire and accordingly permission was granted to him to communicate the same by wire. As submitted by Sri E.V.V.S. Kumar, learned counsel for the respondents, Amin has delivered the possession of the petition schedule property on 8-7-2005 in the afternoon, i.e., after granting of interim order of suspension by this Court.

Contd..

In the circumstances, there shall be interim suspension of all further proceedings in pursuance of the impugned order dated 23-6-2005 and the warrant dated 11-7-2005 of the III Additional District Court, Kakinada, including recording of delivery possession by the Amin of the Court of the III Additional District Court, Kakinada, East Godavari until further orders. ”

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The III Additional District Judge, Kakinada, East Godavari District.
2. The II Addl. Senior Civil Judge, Kakinada, East Godavari District
3. Rednam Lakshmipathi Rao S/o Atchuraramayya, Santhi Nagar,
Gazetted officers Colony, Nerar 50 buildings, Kakinada, E.G. District
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Ramachandrapuram Mandal, via Vella, E.G. District
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Near Market Kakinada, E.G. District
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Mandal, E.G. District.
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16. Kommula Jayalakshmi W/o Rama Murthy R/o Prathipadu Mandal, E.G.
District
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Near Market, Vijaya Rice Mill Lane, Kakinada, E.G. District

Contd..

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29. One Spare Copy

USR

HIGH COURT

TMK,J

DATE: 22-07-2005

ORDER:

CRP. NO. 3264 OF 2005

Interim Suspension.

HIGH COURT

**DRAFTED BY: USR
DATED : 26-07-2005**

TMK,J

DATE : 22-07-2005

ORDER:

CRP. NO. 3264 OF 2005

Interim Suspension.

